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VNUS MEDICAL TECHNOLOGIES, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

VNUS MEDICAL TECHNOLOGIES, INC.,

Plaintiff,

vs.

DIOMED HOLDINGS, INC., DIOMED, INC.,
ANGIODYNAMICS, INC., and VASCULAR
SOLUTIONS, INC.,

Defendants.

No.: C05-02972 MMC

**STIPULATED REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND ~~[PROPOSED]~~ ORDER**

1 All parties, by and through their undersigned counsel, hereby stipulate to this Request to
2 Continue Case management Conference, filed concurrently with the supporting Declaration of John
3 P. Bovich.

4
5 The parties stipulate as follows:

6
7 1. Plaintiff, VNUS Medical Technologies, Inc. ("VNUS"), filed its complaint for patent
8 infringement against defendants Diomed Holdings, Inc., Diomed Inc. (collectively "Diomed") on
9 July 21, 2005.

10 2. On August 23, 2005, the Court issued its Case Management Conference Order,
11 setting the Initial Case Management Conference for December 2, 2005 at 10:30 a.m.

12 3. On October 12, 2005, VNUS filed its First Amended Complaint adding defendants
13 AngioDynamics, Inc. ("AngioDynamics"), and Vascular Solutions, Inc. ("VSI") to the lawsuit.

14 4. On November 7, 2005, VNUS agreed to extend the deadline for AngioDynamics and
15 VSI to answer the complaint until December 9, 2005.

16 5. Because two new defendants have recently been added to the case, and because their
17 answers will not likely be on file by December 2, 2005 - the date currently scheduled for the Case
18 Management Conference – AngioDynamics and VSI believe that a short continuance of the Case
19 Management Conference is warranted, and VNUS does not object to a short delay to the first week
20 of January. If the CMC is held before AngioDynamics and VSI respond to the complaint, that
21 procedure would be likely to lead to further delay as the issues will not be properly framed as of the
22 time of the CMC.

23 6. The parties agree to continue the Case Management Conference until January 6,
24 2006, at 10:30 a.m. or as soon thereafter as the Court's schedule permits.

25 ATTESTATION OF FILER CONCERNING SIGNATURE

26 In accordance with general Order No. 45, Section X, the filer of this document hereby attests
27 that concurrence in the filing of this document has been obtained from each of the signatures listed
28 below.

1 DATED: November 9, 2005.

2 REED SMITH LLP

3
4 By /s/
5 John P. Bovich
6 Attorneys for Defendant
AngioDynamics, Inc.

7 DATED: November 9, 2005.

8 COBLENTZ, PATCH, DUFFY & BASS LLP

9
10 By /s/
11 Howard Slavitt
12 Attorneys for Defendants
Diomed Holdings, Inc. and Diomed Inc.

13 DATED: November 9, 2005.

14 DORSEY & WHITNEY LLP

15 By /s/
16 J. Thomas Vitt
17 Heather Redmond
18 Attorneys for Defendant
Vascular Solutions, Inc.

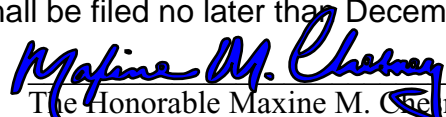
19 DATED: November 9, 2005.

20 LATHAM & WATKINS LLP

21 By /s/
22 James L. Day
23 Attorneys for Defendant
VNUS Medical Technologies, Inc.

24 PURSUANT TO STIPULATION, IT IS SO ORDERED. The conference is continued
25 to January 6, 2006; a joint statement shall be filed no later than December 30, 2005.

26 Date: November 18, 2005

27 
28 The Honorable Maxine M. Cheney
United States District Judge